



**BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY
SPRINGFIELD TERMINAL RAILWAY COMPANY**

IRON HORSE PARK
NO. BILLERICA, MASS. 01862

FILED
IN CLERKS OFFICE

2003 DEC 15 4:58

**LAW DEPARTMENT
978-663-1029
Fax 978-663-1213**

U.S. DISTRICT COURT
DISTRICT OF MASS.

December 15, 2003

VIA HAND DELIVERY

United States District Court
Office of the Clerk
Suite 2300
One Courthouse Way
Boston, MA 02210

RE: *First Union Rail Corporation v. Maine Central Railroad Company, et. al.*
C.A.# 03 12374 DPW

Dear Sir/Madam:

Pursuant to Local Rule of Civil Procedure 81.1, enclosed please find a certified copy of the record of the proceedings in Massachusetts Superior Court in *First Union Rail Corporation v. Maine Central Railroad Company, et. al.*, MICV2003-03430.

I hereby certify that a true copy of these documents were served on the attorney of record for each other party by mail on December 15, 2003.

Please call with any questions.

Sincerely

Robert B. Culliford
Corporate Counsel

cc: Robert Bowers, Esq.
John D. Fitzpatrick, Esq.

Commonwealth of Massachusetts
MIDDLESEX SUPERIOR COURT
Case Summary
Civil Docket

MICV2003-03430
First Union Rail Corporation v Maine Central Railroad Company et al

File Date	08/18/2003	Status	dtrans	Disposed: transfered to other court
Status Date	12/05/2003	Session	L2	Cv time-stan 2 (Lowell)
Origin	1	Case Type	A01	Services, labor, materials
Lead Case		Track	F	Public View Yes

Service	11/16/2003	Answer	01/15/2004	Rule12/19/20	01/15/2004
Rule 15	01/15/2004	Discovery	06/13/2004	Rule 56	07/13/2004
Final PTC	08/12/2004	Disposition	10/11/2004	Jury Trial	No

PARTIES

Plaintiff

First Union Rail Corporation
Active 08/18/2003

Private Counsel 550059

John D Fitzpatrick
Fitzpatrick & Warrenbrand
1 McKinley Square
Boston, MA 02109
Phone: 617-720-2286
Fax: 617-723-1710
Active 08/18/2003 Notify

Defendant

Maine Central Railroad Company
Service pending 08/18/2003

Private Counsel 638468

Robert B. Culliford
Iron Horse Park-Law Department
Iron Horse Park
North Billerica, MA 01862
Phone: 978-663-1029
Active 11/03/2003 Notify

Defendant

Boston And Maine Corporation
Service pending 08/18/2003

*** See Attorney Information Above ***

Defendant

Portland Terminal Company
Service pending 08/18/2003

*** See Attorney Information Above ***

Commonwealth of Massachusetts
MIDDLESEX SUPERIOR COURT
Case Summary
Civil Docket

MICV2003-03430
First Union Rail Corporation v Maine Central Railroad Company et al

Defendant Springfield Terminal Railway Company Service pending 08/18/2003	*** See Attorney Information Above ***
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ENTRIES

Date	Paper	Text
08/18/2003	1.0	Complaint & civil action cover sheet filed
08/18/2003		Origin 1, Type A01, Track F.
10/29/2003	2.0	SERVICE RETURNED (summons): (4) defts'. service made on October 28, 2003 (in hand) Atty. Robert Gulliford, Esq.
11/26/2003		Pleading, Petition For Removal to the United States District Court, returned to Robert B. Culliford, Esq.: Must file the Petition from the U.S. District Court with the seal in order to process the transfer
12/05/2003	3.0	Copy of Petition for Removal to the United States District Court filed by Boston And Maine Corporation
12/05/2003		Case REMOVED this date to US District Court of Massachusetts

EVENTS

MIDDLESEX, ss.

~~Commonwealth of Massachusetts~~



SUPERIOR COURT DEPARTMENT OF THE JUDICIAL BRANCH

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the court.

this 8th day of December 2003
[Signature]
Deputy Assistant Clerk

Commonwealth of Massachusetts

County of Middlesex

The Superior Court

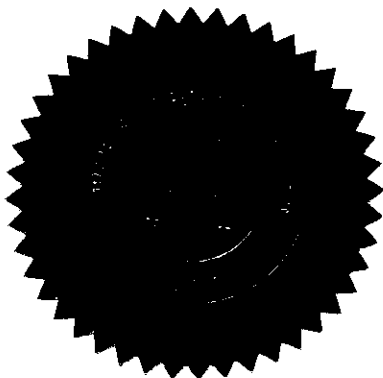
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IN CLERKS OFFICE

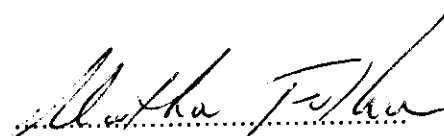
2003 DEC 15 P 4:39

U.S. DISTRICT COURT
DISTRICT OF MASS.

I, Martha Fulham, Assistant Clerk of the Superior Court of the Commonwealth of Massachusetts within and for said County of Middlesex, do certify that the papers hereto annexed are true pleadings in case No. **MICV2003-03430** entered in the Superior Court on **08/18/2003**.

IN TESTIMONY WHEREOF, I hereunto set my hand and
affix the seal of said Superior Court,
at said Lowell, Massachusetts
this 8th of December, in the year of our
Lord 2003




Assistant Clerk of the Courts